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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/738,795      | 12/13/2000  | Robert E. Haines     | 10003227-1          | 3806             |

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O.Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

PHAM, THIERRY L

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2624

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/738,795

Applicant(s)

HAINES, ROBERT E.

Examiner

Thierry L Pham

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Motoyama et al (U.S. 6631247).

Regarding claim 1, Motoyama discloses a consumable management device (resource administrator center, fig. 11-12, col. 13, lines 48-62) comprising:

- (1) an interface configured (resource administrator center for receiving electronic messages (e-mail) from network devices (i.e. printers) regarding consumable information of plurality of network devices, fig. 11-13, col. 3, lines 8-30 and cols. 13-14 and col. 21) to receive a first message including a first designation identifying an imaging consumable used by an image forming device to form hard images; and
- (2) processing circuitry (network interface, fig. 5) coupled with the interface, the processing circuitry being configured to convert the first designation identifying the imaging consumable to a second designation identifying the imaging consumable (an email message identifying consumable information of plurality of network devices, figs. 11-13, col. 3, lines 8-30 and cols. 13-14), to generate a second message including the second designation, and to forward the second message to the interface for communication to an entity for assisting with replenishment of the imaging consumable (the email messages is then forwarded to the resource manager/service center, figs. 11-13, cols. 13-14).

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Regarding claim 2, Motoyama further discloses the device in accordance with claim 1 wherein the interface is configured to receive another first message including another first designation identifying another imaging consumable (i.e. different network devices consumable information, fig. 11-13, cols. 13-14), and the processing circuitry is configured to convert the another first designation into another second designation identifying the another imaging consumable, and to generate the second message comprising a list (figs. 25-27) including the second designations.

Regarding claim 3, Motoyama further discloses the device in accordance with claim 1 wherein the processing circuitry is configured to generate the second message comprising a quantity (total number of pages printed, fig. 25-27) corresponding to the imaging consumable identified by the second designation.

Regarding claim 4, Motoyama further discloses the device in accordance with claim 1 wherein the processing circuitry is configured to generate the second message comprising an email message and to include the second designation as an attachment (email attachment, fig. 20) of the email.

Regarding claim 5, Motoyama further discloses the device in accordance with claim 1 wherein the processing circuitry is configured to convert the first designation comprising a manufacturer part number (device information, fig. 25) for the imaging consumable to the second designation comprising a customer part number for the imaging consumable.

Regarding claim 6, Motoyama further discloses the device in accordance with claim 1 further comprising storage circuitry (RAM, col. 8, lines 20-35) configured to store a look-up table, and the processing circuitry is configured to access the look-up table (email addresses, cols. 13-14) to convert the first designation to the second designation.

Regarding claim 7, Motoyama further discloses the device in accordance with claim 1 wherein the processing circuitry is configured to export the second designations into one of a

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plurality of formats (emails and its attachments, figs. 19-20) corresponding to the entity to generate the second message.

Regarding claim 8, Motoyama further discloses the device in accordance with claim 1 wherein the processing circuitry is configured to communicate the second message at a predetermined moment in time (regularly or periodically, col. 2, lines 15-30).

Regarding claims 9-13 recite limitations that are similar and in the same scope of invention as to those in claims 1-8 above; therefore, claims 9-13 are rejected for the same rejection rationale/basis as described in claims 1-8.

Regarding claims 14-20: Claims 14-20 are the method claims corresponding to the apparatus claims 1-8 (respectively). The method claims are inherent and included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 1-8 above.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) U.S. 6333790 to Kageyama, discloses a monitoring system for managing image forming apparatuses and automatically order consumable products.

(2) U.S. 6405178 to Manchala, discloses a monitoring system for managing image forming apparatuses and automatically order consumable products.

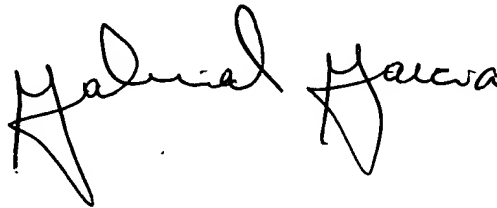
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham



GABRIEL GARCIA  
PRIMARY EXAMINER